TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) Docket No. 43758-00253								
In Re Application Of: VORHEES ET AL.								
Serial No. Filing Date Examiner Group Art Uni NOT YET ASSIGNED SEPTEMBER 17, 2003 NOT YET ASSIGNED NOT YET ASSIG								
	NOT TEL ASSIGNED SEL LEMBERTY, 2005							
Title: "METHOD AND APPARATUS FOR PROVIDING NON-INVASIVE ULTRASOUND HEATING OF THE PREOPTIC ANTERIOR HYPOTHALAMUS"								
rreuriic <i>i</i>	ATTEMOR HITOTHALANIUS							
	Commiss P.C Alexandri	address to: sioner for Patents D. Box 1450 ia, VA 22313-1450						
37 CFR 1.97(b) 1. Image: The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.								
	37 (CFR 1.97(c)						
2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:								
☐ the st	atement specified in 37 CFR 1.97(e));						
	OR							
☐ the fee set forth in 37 CFR 1.17(p).								

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT Docket No. 43758-00253 (Under 37 CFR 1.97(b) or 1.97(c)) In Re Application: **VORHEES ET AL. Group Art Unit** Filing Date Examiner Serial No. SEPTEMBER 17, NOT YET ASSIGNED NOT YET ASSIGNED **NOT YET** "METHOD AND APPARATUS FOR PROVIDING NON-INVASIVE ULTRASOUND HEATING OF PREOPTIC ANTERIOR HYPOTHALAMUS" Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) is attached. □ A check in the amount of ☑ The Director is hereby authorized to charge and credit Deposit Account No. 50-1419 as described below. Charge the amount of Credit any overpayment. X Charge any additional fee required. Certificate of Mailing by First Class Mail Certificate of Transmission by Facsimile* I certify that this document and authorization to charge deposit I certify that this document and fee is being deposited with the U.S. Postal Service account is being facsimile transmitted to the United States on SEPT. 17, 2003 as first class mail under 37 C.F.R. 1.8 and is Patent and Trademark Office (F: addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. (Date) Signature of Person Mailing Correspondence Signature **TERRI BELICH** Typed or Printed Name of Person Mailing Certificate Typed or Printed Name of Person Signing Certificate *This certificate may only be used if paying by deposit account. Dated: SEPTEMBER 17, 2003 RUSSELL T. MANNING **REGISTRATION NO. 51,260** MARSH FISCHMANN & BREYFOGLE LLP 3151 S. VAUGHN WAY #411 AURORA, CO 80014 720-562-5502 CC:

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: Not Yet Assigned In Re the Application of: VORHEES et al Examiner: Not Yet Assigned INFORMATION DISCLOSURE STATEMENT Serial No.: Not Yet Assigned Filed: September 17, 2003 CERTIFICATE OF MAILING I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE Confirmation No.: Not Yet Assigned ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON September 17, 2003 I & BREYFOGLE LLP Atty. File No.: 43758-00253 BY:______Terri Belich For: "METHOD AND APPARATUS FOR PROVIDING NON-INVASIVE ULTRASOUND HEATING OF THE PREOPTIC ANTERIOR

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

HYPOTHALAMUS"

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicant hereby provides a copy of each of the documents identified on the enclosed PTO Form 1449, although Applicant does not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicant that each such document is prior art as to the above-identified application.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

Russell T. Manning

Registration No. 51,260

3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

(720)562-5502

Date: September 17, 2003

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional) 43758-00253	Application Number NOT YET ASSIGNED	
Applicant(s) VORHEES ET AL.		
Filing Date SEPT. 17, 2003	Group Art Unit NOT YET ASSIGNED	

U.S. TATEM DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	6,461,379	10/08/02	CARSON ET AL.	607	104	
	2.	6,156,057	12/05/00	FOX	607	96	
	3.	6,188,930	02/13/01	CARSON	607	101	
	4.	6,375,674	04/23/02	CARSON	607	104	
	-						
	 						
	FOREIGN PATENT DOCUMENTS						
							Translation

					CLASS	SUBCLASS	Translation	
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

- ZWEIFLER, ALDAY, VOORHEES, CARSON; "A NOVEL METHOD TO INDUCE MILD HYPOTHERMIA VIA SURFACE COOLING"; AMERICAN ACADEMY OF NEUROLOGY 2000; MAY 5, 2000
- TREMBLY, HOOPES, MOODIE, CARSON, VOORHEES, BOULANT; "HYPOTHALAMUS WARMING FOR ISCHEMIA PROTECTION"; PROCEEDINGS OF THE INTERNATIONAL SYMPOSIUM ON BIOMEDICAL OPTICS; JANUARY 20, 2001

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

not considered. Include copy of this form with next communication to applicant.

Application Number NOT YET ASSIGNED	
Group Art Unit	

*EXAMINER INITIAL		Date, Pertinent Pages, Etc.)	
EMINAL	7.	TER HAAR; "HIGH INTENSITY FOCUSED ULTI ECHCARDIOGRAPHY; VOL. 18, NO. 4, 2001	RASOUND FOR THE TREATMENT OF TUMORS";
	8.	KIRKHAM, PADAYACHEE, PARSONS, SEARGE OF BLOOD VELOCITIES IN THE BASAL CERE VELOCITY AS AN INDEX OF FLOW"; ULTRAS	ANT, HOUSE, GOSLING; "TRANSCRANIAL MEASUREMENT BRAL ARTERIES USING PULSED DOPPLER ULTRASOUND: OUND IN MED. & BIOL, VOL. 12, NO. 1, 1986
	9.	CLEMENT, HYNYNEN; "A NON-INVASIVE MET HUMAN SKULL"; PHYSICS IN MEDICINE ANI	THOD FOR FOCUSING ULTRASOUND THROUGH THE D BIOLOG, VOL. 47, 2002
	10.	CLEMENT, HYNYNEN; "CORRELATION OF UL ULTRASOUND IN MED. & BIOL., VOL. 28, NO. 5	TRASOUND PHASE WITH PHYSICAL SKULL PROPERTIES"; 5, 2002
	11.	AUBRY, TANTER, PERNOT, THOMAS, FINK; "ITRANSSKULL ADAPTIVE FOCUSING BASED O SOC. AM. 113, JANUARY, 2003	EXPERIMENTAL DEMONSTRATION OF NONINVASIVE N PRIOR COMPUTED TOMOGRAPHY SCANS"; J. ACOUST.
			·
EXAMINER			DATE CONSIDERED

P09B/REV04

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and